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Attorneys for Defendants Vijaya Gadde and Twitter, Inc.

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

DANIEL D'AMBLY,

Plaintiff,

v.

CHRISTIAN EXOO a/k/a ANTIFASH
GORDON; ST. LAWRENCE UNIVERSITY;
TRIBUNE PUBLISHING COMPANY; NEW
YORK DAILY NEWS; VIJAYA GADDE;
TWITTER, INC; COHEN, WEISS AND
SIMON, LLP;

Defendants.

Civil Action No: 2:20-cv-12880-JMV-JAD

The Honorable John M. Vazquez, U.S.D.J.

**DEFENDANTS TWITTER, INC. and
VIJAYA GADDE'S NOTICE OF
MOTION PURSUANT TO F.R.C.P.
12(b)(6) TO DISMISS WITH
PREJUDICE COUNTS VIII-XII OF
PLAINTIFF'S COMPLAINT AND
CROSS-CLAIMS FILED BY CO-
DEFENDANT COHEN, WEISS AND
SIMON, LLP**

ORAL ARGUMENT REQUESTED

Motion Date: February 16, 2021

To:

<p>PATRICK TRAINOR, ESQ. Law Office of Patrick Trainor, Esq., LLC 848 Paterson Avenue East Rutherford, NJ 07073 Telephone: 201-777-3327 Email: pt@ptesq.com <i>Attorneys for Plaintiff, Daniel D'Ambly</i></p>	<p>MONICA C. BARRETT, ESQ. Bond Schoeneck & King, PLLC 600 Third Avenue, 22nd Floor New York, NY 10009 Telephone: 646-253-2314 Email: mbarrett@bsk.com <i>Attorneys for Defendant, St. Lawrence University</i></p>
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PLEASE TAKE NOTICE that on February 16, 2021, or on a date and time to be set by the Court, Defendants Twitter, Inc. and Vijaya Gadde (“Defendants”), by and through their attorneys, Gibbons P.C. and Wilmer Cutler Pickering Hale and Dorr LLP (*pro hac vice*), shall move before the United States District Court for the District of New Jersey, located at Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Newark, NJ 07102, for the entry of

an Order pursuant to F.R.C.P. 12(b)(6) dismissing with prejudice Counts VIII-XII of Plaintiff's Complaint and the Cross-claims filed by Co-Defendant Cohen, Weiss and Simon, LLP.

PLEASE TAKE FURTHER NOTICE that in support of the within Motion, Defendants shall rely upon the Memorandum and Declaration of Ari Holtzblatt, Esq. submitted herewith.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is also submitted herewith.

Dated: November 20, 2020

By: /s/ **Lawrence S. Lustberg**
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